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Attn: J. Fitzgerald

FAX NO.: (703) 872-9306

DATE: October 26, 2004

FROM: Marcella D. Watkins 36,962

Conley Rose, P.C.

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Houston, Texas 77002-2912

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CLIENT NO.: 1391-41700

TOTAL NUMBER OF PAGES (INCLUDING THIS ONE) 5

COMMENTS: Re: U.S. Patent Application Serial No. 10/614,850
Applicant: Christopher Jones et al.

The following documents are attached for filing:
Protest of Non-Entry Of September 17, 2004 Response to Office Action dated June 17, 2004 (1 p.);
Fee Transmittal Form (1 p.); Copies of previously submitted Fee Transmittal Forms (2 p.)

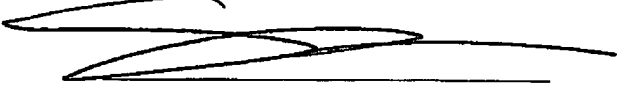
CERTIFICATE OF MAILING/TRANSMISSION (37 CFR 1.8(a))

I hereby certify that this paper (along with any referred to as being attached or enclosed) is being sent by facsimile transmission on the date shown below to (703) 872-9306 (fax number), the U.S. Patent and Trademark Office, in accordance with 37 CFR § 1.6(d).

Sandra K. Begley

(Type or print name of person mailing paper)

Date: October 26, 2004


(Signature of person mailing paper)

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OCT 26 2004

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

APPLICANT:	Christopher Jones et al.	§	GROUP ART UNIT:
		§	2856
SERIAL NO.:	10/614,850	§	
		§	EXAMINER:
FILED:	July 8, 2003	§	J. Fitzgerald
		§	
FOR:	Use of Cesium as a Tracer in Coring	§	
	Operations	§	

PROTEST OF NON-ENTRY OF SEPTEMBER 17, 2004 RESPONSE TO OFFICE ACTION
DATED JUNE 17, 2004

Atty. Dkt. No.: 1391-41700

Date: October 26, 2004

Mail Stop Amendments
Commissioner for Patents
P. O. Box 1450
Alexandria, VA 22313-1450

Sir:

This paper is filed in conjunction with applicant's reply to the Notice of Fee Deficiency dated September 28, 2004. While the Response to Office Action filed by Applicants on September 17, 2004 did not include a Fee Transmittal Form, Applicants respectfully submit that Fee Transmittal forms filed in July 2003 and December 2003 (*copies attached*) both included authorization to "charge any additional fees during the pendency of this application." Therefore the excess claims fee that was required with the September 2004 filing should have been charged to the undersigned's Deposit Account.

As indicated on the attached Fee Transmittal form Applicants request that the required fee be charged and that the previously filed Response to Office Action be entered in the present case. If there are any questions regarding the foregoing, please telephone the undersigned.

Respectfully submitted,



Marcella D. Watkins

Reg. No. 36,962

CONLEY ROSE, P.C.

P. O. Box 3267


Houston, Texas 77253-3267

(713) 238-8000

ATTORNEY/AGENT FOR APPLICANT

137673.01/1391.41700

Under the Paperwork Reduction Act of 1995, no persons are required to respond to a collection of information unless it displays a valid OMB control number

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ADDITIONAL FEES <table style="width: 100%; border-collapse: collapse;"> <thead> <tr> <th style="text-align: left;">Large Entity Fee Code (\$)</th> <th style="text-align: left;">Small Entity Fee Code (\$)</th> <th style="text-align: left;">Fee Description</th> <th style="text-align: right;">Fee Paid \$</th> </tr> </thead> <tbody> <tr><td>1051 130</td><td>2051 65</td><td>Surcharge - late filing fee or oath</td><td style="text-align: right;">\$</td></tr> <tr><td>1052 50</td><td>2052 25</td><td>Surcharge - late provisional filing fee or cover sheet</td><td style="text-align: right;">\$</td></tr> <tr><td>1053 130</td><td>1053 130</td><td>Non-English specification</td><td style="text-align: right;">\$</td></tr> <tr><td>1812 2,520</td><td>1812 2,520</td><td>For filing a request for <i>ex parte</i> reexamination</td><td style="text-align: right;">\$</td></tr> <tr><td>18042 920*</td><td>1804 920*</td><td>Requesting publication of SIR prior to Examiner action</td><td style="text-align: right;">\$</td></tr> <tr><td>1805 1,840*</td><td>1805 1,840*</td><td>Requesting publication of SIR after Examiner action</td><td style="text-align: right;">\$</td></tr> <tr><td>1251 110</td><td>2251 55</td><td>Extension for reply within first month</td><td style="text-align: right;">\$</td></tr> <tr><td>1252 420</td><td>2252 210</td><td>Extension for reply within second month</td><td style="text-align: right;">\$</td></tr> <tr><td>1253 950</td><td>2253 475</td><td>Extension for reply within third month</td><td style="text-align: right;">\$</td></tr> <tr><td>1254 1,480</td><td>2254 740</td><td>Extension for reply within fourth month</td><td style="text-align: right;">\$</td></tr> <tr><td>1255 2,010</td><td>2255 1,005</td><td>Extension for reply within fifth month</td><td style="text-align: right;">\$</td></tr> <tr><td>1401 330</td><td>2401 165</td><td>Notice of Appeal</td><td style="text-align: right;">\$</td></tr> <tr><td>1402 330</td><td>2402 165</td><td>Filing a brief in support of an appeal</td><td style="text-align: right;">\$</td></tr> <tr><td>1403 280</td><td>2403 140</td><td>Request for oral hearing</td><td style="text-align: right;">\$</td></tr> <tr><td>1451 1,510</td><td>1452 1,510</td><td>Petition to institute a public use proceeding</td><td style="text-align: right;">\$</td></tr> <tr><td>1452 110</td><td>2452 55</td><td>Petition to revive - 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Name (Print/Type)	Marcella D. Watkins	Registration No. (Attorney/Agent)	36,962																																																																																																																																
Signature		Telephone	(713) 238-8000																																																																																																																																
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This collection of information is required by 37 CFR 1.17 and 1.27. The information is required to obtain or retain a benefit by the public which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.14. This collection is estimated to take 12 minutes to complete, including gathering, preparing, and submitting the completed application form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden, should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, U.S. Department of Commerce, P. O. Box 1450, Alexandria, VA 22313-1450. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Commissioner for Patents, P. O. Box 1450, Alexandria, VA 22313-1450.

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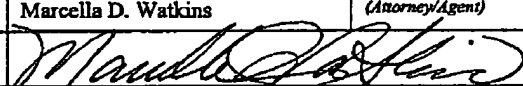
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Name (Print/Type) Marcella D. Watkins		Registration No. (Attorney/Agent) 36,962																																																																																																																									
Signature <i>Marcella D. Watkins</i>		Telephone (713) 238-8000																																																																																																																									
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PTO/SB/017 (05-03)

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FEE TRANSMITTAL For FY 2003				Complete if Known																																																																																																																											
<p><i>Effective 01/01/2003. Patent fees are subject to annual revision.</i></p> <p><input type="checkbox"/> Applicant claims small entity status. See 37 CFR 1.27</p> <p>TOTAL AMOUNT OF PAYMENT \$ 750.00</p>				Application Number																																																																																																																											
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Name (Print/Type)		Marcella D. Watkins		Registration No. (Attorney/Agent)		36,962																																																																																																																									
Signature				Telephone		(713) 238-8000																																																																																																																									
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